

TESTIMONY OF CANDACE NEFF
REGARDING HB5699
BEFORE THE MICHIGAN HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE
APRIL 28, 2010

Mr. Chairman, members of the committee, I want to thank you for allowing me to speak with you today. My name is Candace Neff and I am a survivor of childhood sexual abuse. Just like others you have heard from this morning, I too know first-hand the pain and turmoil which is suffered when youth is shattered by someone you trust, and how one's life is forever changed by such an unspeakable crime, no matter who is the perpetrator, which is why it might surprise you to learn that I come here today to oppose House Bill 5699.

I could share with you specifics of what happened to me in my early teens, but it is more important for me to share with you my experiences since that time and why I feel strongly that this bill is not the answer to this most horrendous and sadly, extremely prevalent, problem in our society.

I had no way of knowing 16 years ago when I accepted a position with the Roman Catholic Diocese of Gaylord, that one day I would be appointed as the sexual abuse Victim Assistance and Safe Environment Coordinator, but I was, and those are the experiences I want most to share with you.

Further, as a survivor, mother and soon to be grandmother, I want to make sure that we all do everything in our power to ensure that are children safe and can grow and thrive.

My heart is filled with sorrow and compassion for those who have experienced enormous pain by some people in positions of trust and authority in the Catholic Church, Those who committed these crimes have committed the most horrible breach of trust and acted completely contrary to the most basic principles of the Church and civil society. In response to these crimes, the Church has not always responded properly to these actions in the past. We have learned painful lessons from our past failures, and have committed ourselves to protect children and serve victims of abuse. It is our sincere desire to assist to bring healing and reconciliation to those who have been

harm and it is my strong belief that no organization in the United States is doing more to ensure the safety of children in their midst. I have, in fact, received calls from other organizations seeking to implement similar efforts.

Through the Charter for the Protection of Children, put in place in 2003 and adopted by virtually every Catholic diocese in the U.S. -- including the seven here in Michigan -- we have laid out a framework and initiated processes for responding to allegations and programs for prevention that I firmly believe is unparalleled by any other organization.

Each diocese has a Victim Assistance Coordinator to serve those who bring forward allegations of sexual abuse. In the Diocese of Gaylord, it is the Victim Assistance Coordinator who receives the complaint, coordinates pastoral and counseling assistance, supports the individual during the investigative process, and continues to assist them as long as necessary. We stand ready to serve and encourage victims to come forward regardless of when the abuse occurred.

In my diocese, when an allegation comes forward the investigative process is led by current and former law enforcement officers to ensure it is carried out in a professional and unbiased manner. This allows the Church to immediately focus on the pastoral care of those involved. The diocese assists with the costs for treatment and counseling for survivors and their families, regardless of any limitations law; whether the perpetrator is a member of the clergy, employee, or volunteer; and regardless of how long ago the abuse occurred.

The Bishop or his representative will meet -- and has met -- with those who request a personal meeting. We have apologized many times both publicly and privately for the harm that has been done.

We are also firmly committed to cooperating with civil authorities. It is our practice that every allegation of sexual abuse of a minor is reported to civil authorities, even if the incident occurred in the distant past, the perpetrator has died, or the accuser is beyond the age of 18. We encourage victims to pursue criminal action if the perpetrator is still alive and will assist them in making that complaint.

Once the investigation of an allegation is completed, it is presented to our Review Board which is comprised, with one exception, entirely of lay people from a variety of backgrounds including those with specific expertise in the area of child sexual abuse. The Review Board helps to assess the validity of the claim and makes recommendations to the Bishop. The Review Board also reviews our policies and procedures.

Those who have been credibly accused are immediately and permanently removed from ministry. When appropriate, we meet with the community that has been impacted by the abuse, and we encourage them to report any suspected abuse to the civil authorities and to the diocese.

Our foremost goal is always to protect children, prevent future abuse and provide assistance.

To that end, we require background checks not only for all clergy, seminarians and employees, but also for volunteers who regularly work with children. We require training for employees and volunteers who work with children to assist in preventing, identifying, responding to, and reporting child abuse. This training includes learning the signs of abuse, appropriate boundaries, and reporting requirements. Moreover, in an effort to provide safer environments for children in the wider community, the diocese welcomes any interested adult to increase their awareness of the issues by participating in our training programs which are available in person or through our online course.

Children in our Catholic schools as well as those enrolled in our parish religious education programs also receive age appropriate training to help them recognize inappropriate behaviors and to empower them to get help when something makes them uncomfortable. Unfortunately, in our society it is true that many children do not come forward out of fear or shame when they have been abused. We must all work to break that cycle so that all perpetrators are apprehended in a timely fashion and prohibited from inflicting further abuse, and so that the healing process can begin much earlier.

I believe that education and background checks are crucial to long-term efforts to prevent child sexual abuse. I fear that if today's bill is passed, critical resources will be diverted away from these prevention efforts.

To ensure we are living up to our promise to protect and pledge to heal, dioceses are regularly audited by an outside firm to ensure compliance with all articles of the Charter for the Protection of Children. The results of these audits are reported publicly for each diocese in the country.

Finally, the U.S. Bishops have engaged in two unprecedented research studies with the John Jay College of Criminal Justice. The first study, released in 2004 examined the nature and scope of incidents of sexual abuse of minors involving clergy over a period of 50 years. The participation rate of the dioceses across the country was 98% which researchers stated is “virtually unheard of in social science research.” The second study, currently underway, examines the causes and contexts from which we hope to learn more about what leads someone to abuse children and therefore gain invaluable insights as to how to prevent it from occurring in the future.

As I ponder today’s proposed legislation, I am troubled by its narrow and discriminatory scope. We know that there are no restrictions on perpetrators of sexual abuse upon a child. They come from all walks of life, all professions, and all social, cultural and economic backgrounds. Indeed, a large percentage of those who commit this crime are family members or closely related to the victim. In 2008, across the country, Catholic dioceses received a total of ten allegations against clergy of sexual abuse involving current minors – those under the age of 18. Ten, nationwide. However, during that same year, there were more than 68,000 allegations of child sexual abuse made in our country against other adults – more than 1,200 in the state of Michigan alone. [U.S.

Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2010). Child Maltreatment 2008.]

The legislation you are considering today does little, if anything, to assist those children and does virtually nothing to prevent abuse or protect children in the future. It really does nothing to assist those who were abused at any time by family members, friends or by those who work in public schools or government institutions. And it does nothing to ensure the majority of perpetrators of this crime are brought to justice.

I am further concerned that this legislation would cause great harm to charitable organizations and agencies who are working diligently to deal with the wider issues that lead to child abuse, to promote greater awareness and prevent all forms of child abuse from occurring in the first place.

We know that every victim's journey to wholeness is unique. But there are a few common themes which resonate from the victims that have come forward in my diocese. First, they want us to know what happened to them and, unanimously, they want to know that we will do everything possible to prevent any other child from being victimized. Second, they want their suffering to be acknowledged and understood, along with an apology. In many cases, that is all they desire because although they had been able to move on in their lives, they still needed to address those two issues in order to more fully heal. Others desire assistance to help them engage counseling services or treatment. The diocese is wholeheartedly committed to helping a victim in each of those areas.

Mr. Chairman, members of the committee, for all of these reasons, I ask you not to approve this piece of legislation as written.

It is imperative that financial resources, human capital, and focus are concentrated on outreach to survivors and their families and to the prevention of child sexual abuse – indeed all forms of child abuse and neglect. I am proud of the work being done by the Catholic Church in this state and nationwide; I am proud to be a part of these efforts. I am confident the Church will continue to reach out to survivors, work with community agencies and organizations, and do everything in its power to protect children.

Thank you for your kind attention. I am grateful to have had this opportunity to address you.